RESOLUTION NO. 2021-20-CL TIPPECANOE COUNTY COUNCIL RESOLUTION APPROVING APPLICATION FOR PERSONAL PROPERTY TAX DEDUCTIONS FOR LUDO FACT USA, LLC

WHEREAS, Tippecanoe County has been requested by Ludo Fact USA, LLC (Applicant) to approve personal property tax deductions pursuant to Indiana Code 6-1.1-12.1 with respect to proposed manufacturing equipment all as more fully set forth in the certain Statement of Benefits filed by Applicant in the Office of the Auditor of Tippecanoe County on May 12, 2021, attached hereto as Exhibit A.

WHEREAS, the manufacturing equipment will be located upon real estate designated by the Tippecanoe County Council as an "economic revitalization area" as that term is defined and intended in Indiana Code 6-1.1-12.1-1 through 6-1.1-12.1-6 pursuant to Declaratory Resolution No. 2014-04-CL, adopted January 14, 2014, and Confirmatory Resolution No. 2014-08-CL dated February 11, 2014; and

WHEREAS, the duration of said designation of the property described in Tippecanoe County Council Resolution was through and including December 31, 2024; and

WHEREAS, pursuant to Resolution 2019-16-CL, adopted by the Tippecanoe County

Council on July 9, 2019, as a condition of receiving a tax abatement on personal property, the

Council requires a taxpayer to enter into a memorandum of understanding concerning repayment

of tax savings in the event the property is removed from the County and the Council determines

that the recipient of the tax savings is not in substantial compliance with the commitments made

in conjunction with the application for a tax abatement; and

WHEREAS, the Tippecanoe County Council, having reviewed the Statement of Benefits filed by Applicant on May 12, 2021, hereby finds that:

- (1) The estimate of the cost of the new manufacturing equipment, new research and development equipment, new logistical distribution equipment, or new information technology equipment is reasonable for equipment of that type.
- (2) The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the new manufacturing equipment, new research and development equipment, new logistical distribution equipment, or new information technology equipment.
- (3) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed installation of new manufacturing equipment, new research and development equipment, new logistical distribution equipment, or new information technology equipment.
- (4) The other benefits about which information was requested, including the number of individual opportunities for employment, both temporary and permanent, and the compensation to be paid to employees, are benefits of the type and quality anticipated by the County Council within the economic revitalization area, and are benefits that can be reasonably expected to result from the proposed installation of new manufacturing equipment, new research and development equipment, new logistical distribution equipment, or new information technology equipment.
- (5) The totality of benefits is sufficient to justify the deductions.

WHEREAS, the Tippecanoe Council hereby finds that the purposes of Indiana Code chapter §6-1.1-12.1 are served by allowing Applicant the deductions provided by Indiana Code §6-1.1-12.1-4.5 with respect to installation of **new manufacturing equipment for a period of seven (7) years**.

NOW THEREFORE BE IT RESOLVED by the County Council of Tippecanoe County, Indiana that the Statement of Benefits filed on May 19, 2021, with respect to the addition of manufacturing equipment proposed by Applicant, be and the same are hereby approved.

BE IT FURTHER RESOLVED that, subject to approval of the Board of Commissioners for Tippecanoe County under Indiana Code §6-1.1-12.1-2(k) for statements of benefits concerning property in an allocation area, the Applicant, as owner of property within the above-

designated economic revitalization area shall be entitled to the **deductions** provided by Indiana Code §6-1.1-12.1-5.4 for a period of **seven (7) years with respect to manufacturing equipment** which is installed as contemplated by and reflected in the Statement of Benefits heretofor filed with Tippecanoe County according to the following schedule:

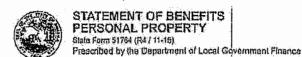
YEAR 1	100%
YEAR 2	85.7%
YEAR 3	71.4%
YEAR 4	57.1%
YEAR 5	42.8%
YEAR 6	28.5%
YEAR 7	14.2%

BE IT FURTHER RESOLVED that the deductions approved herein are contingent on the Applicant entering into a Memorandum of Understanding, as described in more detail in Resolution 2019–16-CL, providing for the repayment to the County of all or a portion of the tax savings realized through the deductions described herein in the event that the subject property is removed from the County and the Council determines that the deduction should be terminated because the recipient is not in substantial compliance with the recipient's stated commitments.

BE IT FINALLY RESOLVED that if any part, parts, clause or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the unconstitutionality of this Resolution as a whole or any other part, clause or portion of the Resolution.

Presented to the County Council of Tippecanoe County, Indiana, and adopted this 15th day of June 2021.

TIPPECANOE COUNTY COUNCIL Mevin L. Underwood	Barry Richard
John R. Basham II Lisa Dullum	Kathy Vernon Roland K. Winger
Ben Murray	
ATTEST: Wester Vlantenga, Tippecanoe County Auditor	



FILED MAY 12 2021

FORM SB-1/PP

" TIVOR OF TIPPEDANCE OF

PRIVACY NOTICE

Any information concoming the cost of the property and specific salaries put to individual employees by the property owner is confidential per IC 6-1,1-12,1-5.1.

INSTRUCTIONS

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing aquipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
 The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
- 3. To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due to the transfer of the township assessor. due date of that year.
- 4, Property owners whose Statement of Benefits was approved, must submit Form GF-1/PP annually to show compliance with the Statement of Benefits, (10 6-1.1-12.1-5.6)
- 5. For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 8-1.1-12.1-17)

SECTION 1 Name of laxpayer			TAXPAYER							
Ludo Fact USA LLC	:			Name of contact person Frank Jurowsky (CQO), Elke Wrage (CFO), Lee Ramsey (VP Sales)						
Address of taxpayer (number and street, plly state, and ZIP code)					Telephone number					
4775 Dale Street, Lafavette, IN, 47905							(765) 4			
SECTION 2		CATION A	VD DESCRIPTI	ON OF PRO	POSED PROJE	CT CT			SYmand-Sylvania	
Name of designating body	45 1 14 24 4 4 1 1 1 1 1 1 1 1				- Charles Company of the Company of		Resolution nun	nber (s)	1.151	
Tippecanoe County Co	undl	• {	te constant							
Location of property	***************************************	ž.		Coun	(y		DLGF taking d	strict number		
4775 Dale Street, Lafaye		·			Tippecano	e		79-031		
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(Use additional sheets if r	acassary)	indonit redi	areheda adribino	illa.	-		START DA	TE COM	PLETION DATE	
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Printed name of authorized(te Elke Wrage	presentative			CFO					-	

FOR USE OF THE D	DESIGNATING BODY	
We have reviewed our prior actions relating to the designation of this econs adopted in the resolution previously approved by this body. Said resolutionally authorized under IC 6-1.1-12.1-2.	omio ravitalization area end find the lion, passed under IC 6-1.1-12.4-2	the applicant meets the general standards 5, provides for the following limitations as
A. The designated area has been limited to a period of time not to exceed is NOTE: This question address	calendar years * (see	e below). The date this designation expires an expiration date for the designated area.
B. The type of deduction that is allowed in the designated area is limited to: 1. Installation of new manufacturing equipment; 2. Installation of new research and development equipment; 3. Installation of new logistical distribution equipment. 4. Installation of new information technology equipment;	☐ Yes ☐ No ☐ Yes ☐ Ye	Enhanced Abatement per IC 6-1.1-12.1-18 Clieck box if an enhanced abatement was approved for one or more of these types.
C. The amount of deduction applicable to new manufacturing equipment is \$ (One or both lines may be filled out to estat	limited to \$cc Blair a limit, if desired.}	of pulse bessesses no ribit to
D. The amount of deduction applicable to new research and development e	equipment is limited to \$	coal with an easessed value of
E. The amount of deduction applicable to new logistical distribution equipms \$	and the form of the control of the c	cost with an assessed value of
F. The amount of deduction applicable to new information technology equip. S (One or both finds may be filled out to estat		cost with an assessed value of
G. Other limitations or conditions (specify)		
H. The deduction for new manufacturing equipment and/or new research at new information technology equipment installed and first claimed eligible		new logistical distribution equipment and/or
☐ Year1 ☐ Year2 ☐ Year3 ☐ Year4 ☐ Year6 ☐ Year7 ☐ Year8 ☐ Year9	☐ Year 10 (Enter	ced Abatement per IC 5-1.1-12.1-18 er of years approvedt one to (wenty (1-20) years; may not d (wenty (20) years.)
 For a Statement of Bonefits approved after June 30, 2013, did this design: If yes, attach a copy of the abatement achiecute to this form. If no, the designating body is required to establish an abatement schedule. 		7.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1
Also we have reviewed the information contained in the statument of bandli determined that the totality of benefits is sufficient to justify the deduction de	is and find that the estimates and exscribed above.	every pure niquinoseas are enclystack
Approved by: (signature and title of authorized member of designating body)	Telephone number	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Allested by: (signature, and title of allester)	Printed name of attacker	
* If the designating body limits the time period during which an area is an ectaxpayer is entitled to receive a deduction to a number of years that is less	conomic revitalization area, that limb s than the number of years designat	lation does not limit the length of time a led under IC 6-1.1-12.1-17.
C 6-1:1-12:1-17 Abatement schedules Sec. 17. (a) A designating body may provide to a business that is established in or this chapter an abatement schedule based on the following fectors:	relocated to a rev	that receives a deduction under section 4 or 4.5

(1) The total amount of the taxpayer's investment in real and personal property.

(2) The interperson whit-lime equivalent jobs created.

(3) The average wage of the new employees compared to the state minimum wage.

(4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of banefits approved after June 30, 2013, A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed len (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.



LUDO FACT USA LLC 4775 Dale Drive Lafayette, IN 47905 765.588 9137

BANK ONE, NATIONAL ASSOCIATION INDIANAPOLIS, IN 46204 20-17740

13341

5/12/2021

PAY TO THE : ORDER OF __

Tippecance County Treasurer

**USD 400.00

Four Hundred and 00/100********

PROTECTED AGAINST FRAUD

DOLLARS



Tippecance County Treasurer 20 North 3rd Street Lafayette, IN 47901

MEMO

3052196251

LUDO FACT USA LLC

13341

Date 5/12/2021

Tippecance County Treasurer Type Reference Bill Pers Prop Tax

Original Amt. USD 400.00 Balance Due USD 400.00 . 5/12/2021 Discount

Payment USD 400.00 Check Amount USD 400.00

Chase - Checking

USD 400.00

FILED

MAY 12 2021- (S

SUPPLEMENT TO STATEMENT OF BENEFITS Real Estate & Personal Property

INSTRUCTIONS:

1. This completed SUPPLEMENT and the completed STATEMENT OF BENEFITS, along with all other requested materials, must be submitted to Greater Lafayette Commerce.

- 2. This SUPPLEMENT TO STATEMENT OF BENEFITS is part of the total application, and the CERTIFICATION in the STATEMENT OF BENEFITS applies to all statements in the APPLICATION.
- 3. To qualify, the project investment must be at least \$500,000.

To a the contract of the contr	sum aure naime i i i veidulisc	and a Makasana Makasana z	
SECTION 1	PPLICANT	A CONTRACTOR OF THE CONTRACTOR	
Name of Taxpayer: Ludo Fact USA LLC			
Address of Texpayer (street and number, city, state & ZIP code): 4775 Date Drive, Lafayette, IN, 47905		Telephone: (765) 588 E-mail: Info@kudofact	
Name of Applicant if different from Taxpayer:			
Address of Applicant if different from Tuxpayer (street and number, city, state & Z	P code):	Telephone: E-mail:	er felt frå frå frå fra til en
Description of relationship of Applicant to Taxpayer:			
Contact for this Application: Frank Jurowsky (COO), Elke Wrage (CFO), Lee Ramsey (VP Sales)			
Address of Contact if different from Taxpayer (street and number, city, state & Zir	code):	Telephone: E-mail:	
Name of Parent Company (if any): Ludo Fact USA inc			
Does the company currently conduct business at this site? If "No", how is the site currently used?	6 <u>X</u>	No No	Manufacture and American Ameri
Annual Report & History of Company			
Company Certifled Public Accountant:			•
Company Commercial Bankers:			
Company Counsel:			
To be completed by GLC Staff			
is this area currently designated as an Economic Revitalization Area? Has it ever been so designated in the past?	Yes Yes		No
ls this property in a Tax increment Finance (TIF) district (regulrés RD Commission Approval)?	Yes		No

SECTION 2. JU	JRISDICTION & PURPOSE
Jurisdication: Lafayette Wast Lafayette Tippécance Ix	Purpose of Application: Real Estate Tax Abatement
Type of Industry: Research & Development Manufacturing X Logistics Information Technology Other Please speci	Ġy:
Describe proposed project. Investing on a total of 7 machines 2 Boxmachine, thereof 1 replacement 1 sheet liner (replacement) 4 Baggers All Investement will increase productivity of Ludo Fact to support further	giwath
SECTION 3 Assessor's Personal Property Key Number(s): 79-11-12-452-006.00d-02	PROPERTY DESCRIPTION
Location of Real Property (street and number, city, state & ZIP code): 4775 Dale Drive, Largyette, IN, 47905	
ATTACH LEGAL DESCRIPTION & PLAT MAP WITH LOCATION SECTION 4 NATURE	DF REAL ESTATE IMPROVEMENTS
Describe any Real Property Improvements: Size of facility to be constructed and for renovated	
Rehabilitation of existing structure(s), especially a	chitecturally significant or historic structures
Demolition of architecturally significant or historic	structure(s)
Estimated Investment	

SECTION 5	AND ASSESSMENT OF THE PROPERTY OF			ONAL PROPERTY	Access to the second se		
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Please note that all	l Personal Property (ax abalements are :	subject to a Memorar	dum of Agreement that m	ay require repayme	nt of all or	
a portion of the tax	savings realized in a	designated ERA if	it is terminated beca	use the property is remove	d from the City of L	afayette by the applican	
Please contact the	City of Lafayette Ec	onomic Department	for details.				
SECTION 6			E	WPLOYMENT			
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revised 12.31.18

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ĺ		Dental Insurance		% paid						
		Vision Insurance Life Insurance		% paid % paid						
		Disability	Ō	% paid						
		AD & D	**************************************	% paid						
		Childcare Vacation (PTO)	n/a 12	% paid min, # of day	s (at 1 year of se	rvice)				
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To be completed b							-	Card & Marketon (notes	******************	» « «
is the average wage	rator above the Tip	specance County	average?	Yes	Same a Prilling and Management and		No		7	
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Please estimate the	% of your product	s or services sold	outside this 8-co	ounty economi	a region?	**************************************	**************************************	98_%	Andrew Control of the	Markania (Markania)
			outside this 8-co		c region?			98_%		
Does the applicant			outside this 8-co	Yes	c region?		No	98 %		
Does the applicant of the second seco	supply any local firm		outside this 8-co				No	98 %		
Does the applicant	supply any local firm		outside this 8-co			Annual An	No	98 %		
Does the applicant of the second of the seco	supply any local firm ate,Lebanon Itica	ns?		Yes	X			98 %		
Does the applicant of the state of the same of the sam	supply any local firm ate,Lebanon Itica	ns?		Yes	X		Yes			
Does the applicant of the second of the seco	supply any local firm ate,Lebanon Itica	ns?		Yes	X			98 %		
Does the applicant of the second of the seco	supply any local firm ate,Lebanon Itica	ns?		Yes	X		Yes			
Does the applicant of the second of the seco	supply any local firm ate,Lebanon Itica	ns?		Yes	X		Yes			
Does the applicant of the second seco	supply any local firm ate,Lebanon ttica public utililles, city s	ns? ervices ar other in		Yes	X		Yes	X		
Does the applicant of the second of the seco	supply any local firm ate,Lebanon ttica public utililles, city s	ns? ervices ar other in		Yes	X		Yes No			
Does the applicant of the second seco	supply any local firm ate,Lebanon ttica public utililles, city s	ns? ervices ar other in		Yes	X		Yes No	X		
Does the applicant of the second seco	supply any local firm ate,Lebanon ttica public utililles, city s	ns? ervices ar other in		Yes	X		Yes No	X		
Does the applicant of the second seco	supply any local firm ate,Lebanon ttica public utililles, city s	ns? ervices or other in		Yes	X		Yes No	X		
Does the applicant of yes, please list: Donaldsons Chocolate, At Will any additional pit "Yes", explain: Will any environment "Yes", explain:	supply any local firm ate, Lebanon titica public utilities, city s ntal permits be need	ne? ervices or other in	frastructure be (Yes	X		Yes No	X		
Does the applicant of yes, please list: Donaldsons Chocolate, At Will any additional pit "Yes", explain: Will any environment "Yes", explain:	supply any local firm ate, Lebanon titica public utililies, city s	ne? ervices or other in	frastructure be (Yes	X		Yes No	X		
Does the applicant of yes, please list: Donaldsons Chocolate, At Will any additional pit "Yes", explain: Will any environment "Yes", explain:	supply any local firm ate, Lebanon titica public utilities, city s ntal permits be need 13 Will any changes, be required?	ne? ervices or other in ded?	ifrastructure be o	Yes	x s project?		Yes No	X		
Does the applicant of yes, please list: Donaldsons Chocolate, At Will any additional pit "Yes", explain: Will any environment "Yes", explain:	supply any local firm ate, Lebanon titica nublic utilities, city s ntal permits be need	ne? ervices or other in ded?	ifrastructure be d	Yes	x s project?		Yes No	X	N/A.	
Does the applicant of yes, please list: Danaldsons Chocolate, At Will any additional pit "Yes", explain: Will any environment "Yes", explain:	supply any local firm ate, Lebanon titica public utilities, city s ntal permits be need 13 Will any changes, be required?	ne? ervices or other in ded?	ifrastructure be o	Yes	x s project?		Yes No	X	N/A.	
Does the applicant of yes, please list: Danaldsons Chocolate, At Will any additional pit "Yes", explain: Will any environment "Yes", explain:	supply any local firm ate, Lebanon titica public utilities, city so tital permits be need 13 Will any changes, be required? Have they been a	ne? ervices or other in ded? special exception approved?	ifrastructure be o	Yes aquired by this	x s project?	x a of financi	Yes No			<u> </u>

is there any pending liligation materially affecting the app	ilicant7 Yes	No x
If "Yes", please describe giving procedural posture of the	case(s):	
-		
Are there any restrictions contained in the applicant Artic Bylaws, Code of Regulations or any agreements to which		Yes No x
applicant's ability to engage in this project?		Non-All All All All All All All All All All
If "Yes", explain:		
SECTION 8	AFFIRMATION OF TAX PAYME	NTS
arctions		
i affirm that the applicant is current with all local, stated		
abatement, noncompliant and, therefore, incligible for	or tax abatement.	no vax:
$A \cdot A$		
1//		5/11/2021
\$ignature //	Programme Control of the Control of	Date
Eike Wrage	A SUCCESSION OF THE SUCCESSION	CFO
Name Printed		Title
ewrage@ludofactusa.com		(765) 429 9856
Email		Phone

STATEMENT OF BENEFITS PERSONAL PROPERTY State Form \$1764 (R4 / 11-15)

FILED MAY 1 2 2021

FORM SB-1/PP

Prescribed by the Department of Local Government Finance

13170R OF TIPPECANOE CO

PRIVACY NOTICE

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

- 1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation
 of qualifying abatable equipment for which the person desires to claim a deduction.
- 3. To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
- 4. Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Banefits. (IC 6-1.1-12.1-6.6)
- For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1			TAXPAYER	INFORMAT	ION				
Name of taxpayer	the second secon				ontact person				
Ludo Fact USA LLC Frank Jurowsky (COO), El), Elke Wr	age (CFO), I	ee Ramse	y (VP Sales)
Address of taxpayer (number and street, city, state, and ZIP code)							Telephone nur	nber	M. N. H.
4775 Dale Street, Lafa	yette, IN, 47905	A Characteristics					(765) 4	299856	
SECTION 2		CATION AN	D DESCRIPTI	ON OF PRO	POSED PROJ	ECT			
Name of designating body	- Canada						Resolution nur	nber (s)	
Tippedance County Co	unoll								
Location of property		÷.		Cour	nly	***************************************	DLGF laxing d	strict number	
4775 Dale Street, Lafaye					Tippecano	e		79-031	
Description of manufactur	ing equipment and/or re	search and d	evelopment ec	ulpment	1			ESTIMATE	D .
Description of manufactur and/or logistical distribution (Use additional sheets if n	in equipment and/or into lecessary.)	mnauon techr	lotogy ednibut	ant.		······································	START DA	TE CON	PLETION DATE
2 box machines (there		estment)			Manufacturing	j Equipment	05/11/20	21 (9/30/2021
1 sheet liner (replacen					R & D Equipm	nent			
4 baggers (thereof 3 re	apiacement investine	10			Logist Dist Eq	ulpment			######################################
						***************************************	<i></i>		············
					IT Equipment				7
SECTION 3	Charles and a Victorian of the Annual Control of the Annual Contro		THE RESERVE THE PARTY OF THE PA	III SIII III III AAAAAAAAAAAAAAAAA	SULT OF PROP	A STANK CLAND COMMENTS	THE THE PARTY OF T		
Current number	3,878,489.16	Number	retained 110	Salaries	378,489.16	Number ac	ditional	Salaries	3,000
110					10.00		e marana sangan	20	3,000
SECTION 4			CTURING		PROPOSED PR	Acretic and reserve and print	TDIST		3000000
NOTE: Pursuant to IC 6-1			MENT	R&DE	QUIPMENT	EQUIP		IT EQ	JIPMENT
COST of the property is c	onfidential.	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values	*******************************								
Plus estimated values of p	proposed project	1,308,384		**					
Less values of any proper	ty being replaced	132,905							
Net estimated values upor		1,158,384					·	THE PROPERTY OF THE PROPERTY O	1
SECTION 5	WASTE CO	NVERTED AN	ID OTHER BE	NEFITS P	ROMISED BY TH	IE TAXPAYI	R		
Estimated solld waste con	iverted (pounds)	***************************************	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Estimated	hazardous waste	converted	(pounds)		
Other benefits:		'	1.			***************************************	71	***************************************	######################################
		4.							
	Stratitus and Comment of the Comment		NAMES AND STREET		And a little was propriet to				
SECTION 6			TAXPAYER C	ERTIFICAT	ION				
I hereby certify that the re Signature of authorized repres	Annual Company of the	tement are th	Je	***************************************		155	to silve set tomand	L start to the start	······································
Salarana di ahtiining jabias	on all values	- ;				Ja	te signed (mont 5)	1. day, year) 111/2021	
Printed name of authorized re-	presentative	**************************************		Title	######################################	MIIII 4	Market		
Elke Wrage				CFO					

FOR USE OF THE D	ESIGNATING BODY
We have reviewed our prior actions relating to the designation of this econoradopted in the resolution previously approved by this body. Said resolution authorized under IC 6-1.1-12.1-2.	mic revitalization area and find that the applicant meets the general standards on, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as
A. The designated area has been limited to a period of time not to exceed NOTE: This question address	calendar years " (see below). The date this designation expires ses whether the resolution contains an expiration date for the designated area.
B. The type of deduction that is allowed in the designated area is limited to; 1. Installation of new manufacturing equipment; 2. Installation of new research and development equipment; 3. Installation of new logistical distribution equipment. 4. Installation of new information technology equipment;	☐ Yes ☐ No ☐ Enhanced Abatement per IC 6-1.1-12.1-18 ☐ Yes ☐ No ☐ Check box if an enhanced abatement was approved for one or more of these types. ☐ Yes ☐ No
C. The amount of deduction applicable to new manufacturing equipment is li \$ {One or both lines may be filled out to estable.}	ish a limit, if desired.)
D. The amount of deduction applicable to new research and development ec \$ (One or both lines may be filled out to estable	
E. The amount of deduction applicable to new logistical distribution equipme \$	
F. The amount of deduction applicable to new information technology equipr \$	
G. Other limitations or conditions (specify)	The supplies of the supplies o
H. The deduction for new manufacturing equipment and/or new research an new information technology equipment installed and first claimed eligible	d development equipment and/or new logistical distribution equipment and/or for deduction is allowed for:
☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9	☐ Year 5 ☐ Enhanced Abatement per IC 6-1.1-12.1-18 Number of years approved: ☐ Year 10
 For a Statement of Benefits approved after June 30, 2013, did this designal if yes, attach a copy of the abatement schedule to this form. If no, the designating body is required to establish an abatement schedule. 	
Also we have reviewed the information contained in the statement of benefits determined that the totality of benefits is sufficient to justify the deduction des	and find that the estimates and expectations are reasonable and have scribed above.
Approved by (signature and title of authorized member of designating body)	Telephone number Date signed (month, day, year)
Printed/name/of authorized coember of designating body	Name of designating body There cance County Council
Attested by: (signature and title of attester)	Printed name of attester
If the designating body limits the time period during which an area is an ecotaxpayer is entitled to receive a deduction to a number of years that is less	

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- The total amount of the taxpayer's investment in real and personal property.

 (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

CASH ONLY IF ALL CheckLock M SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING



LUDO FACT USA LLC 4775 Dale Drive Lafayette, IN 47905 765.588.9137 BANK ONE, NATIONAL ASSOCIATION INDIANAPOLIS, IN 46204 20-1/740 13341

5/12/2021

PAY TO THE ORDER OF .

Tippecanoe County Treasurer

**USD 400.00

Ž***** DOLLARS



Tippecance County Treasurer 20 North 3rd Street Lafayette, IN 47901



MEMO

© 2014 INTUIT INC.

"O 13341" (:074000010):

305219625

LUDO FACT USA LLC

13341

Tippecanoe County Treasurer

Date Type Reference

5/12/2021 Bill Pers Prop Tax

Original Amt. USD 400.00

Balance Due USD 400.00 5/12/2021 Discount

Payment USD 400.00

Check Amount

USD 400.00

Chase - Checking

USD 400.00

SUPPLEMENT TO STATEMENT OF BENEFITS Real Estate & Personal Property

FILED MAY 12 2021+(5

INSTRUCTIONS:

1. This completed SUPPLEMENT and the completed STATEMENT OF BENEFITS, along with all other requested materials, must be submitted to Greater Lafayette Commerce.

- 2. This SUPPLEMENT TO STATEMENT OF BENEFITS is part of the total application, and the CERTIFICATION in the STATEMENT OF BENEFITS applies to all statements in the APPLICATION.
- 3. To qualify, the project investment must be at least \$500,000.

SECTION 1	APPLICANT		
The state of the s		EAN COAL	
Name of Taxpayer: Ludo Fact USA LLC			
Address of Taxpayer (street and number, city, state & ZIP code):		Telephone: (765) 588-9137	
4775 Dale Drive, Lafayette, IN, 47905		E-mail: info@ludofactusa.co	m
Name of Applicant if different from Taxpayer:	•		
Address of Applicant if different from Taxpayer (street and number, city, state	& ZIP code):	Telephone: E-mail:	
Description of relationship of Applicant to Taxpayer:			
Contact for this Application: Frank Jurowsky (COO), Eike Wrage (CFO), Lee Ramsey (VP Sales)			
Address of Contact if different from Taxpayer (street and number, city, state a	S ZIP code):	Telephone: E-mail:	
Name of Parent Company (if any):			
Ludo Fact USA Inc			
Does the company currently conduct business at this site?	Yes x	No	
If "No", how is the site currently used?			
Annual Report & History of Company			
Company Certified Public Accountant:			4
Company Commercial Bankers:			
Company Counsel:			
To be completed by GLC Staff			
is this area currently designated as an Economic Revitalization Area? Has it ever been so designated in the past?	Yes Yes		No No
1 199 it each obdit do geolikusten un die begri	FUG	Description of the second of t	174
is this property in a Tax increment Finance (TIF) district		\	
(requires RD Commission Approval)?	Yes	**************************************	No

SECTION 2	JRISDICTION & PURPOSE
Jurisdication: Lafayette West Lafayette Tippecence Ix	Purpose of Application: Real Estate Tax Abatement - years Personal Property Tax Abatement - 7 years ERA Designation Only -
Type of Industry: Research & Development Manufacturing x Logistics Information Technology Other Please speci	ý:
Describe proposed project. Investing on a total of 7 machines 2 Boxmachine, thereof 1 replacement 1 sheet liner (replacement) 4 Baggers All investement will increase productivity of Ludo Fact to support further	grwoth
SECTION 3 Assessor's Personal Property Key Number(s): 79-11-12-452-006.000-03	ROPERTY DESCRIPTION
Location of Real Property (street and number, city, state & ZIP code): 4775 Dale Drive, Lafayette, IN, 47905	
ATTACH LEGAL DESCRIPTION & PLAT MAP WITH LOCATION	
	OF REAL ESTATE IMPROVEMENTS
Describe any Real Property Improvements: Size of facility to be constructed and for renovated	
Rehabilitation of existing structure(s), especially an	chitecturally significant or historic structures
Demolítion of architecturally significant or historic s	tructure(s)
Estimated Investment	·

SECTION 5		PERSONAL PROPERTY		
Type of Project:				
Research & Development				
Machinery & Equipment	X			
Logistics				
Information Technology		and the state of t		
Other	WARRANT LIBE	se specify:		
Estimated investment	Additional and analysis of the Control of the Contr			
ATTACH DEPRECIATION SCI	HEDULE	Al-Majo subjects		
APPLIES ONLY FOR THE CITY	OF LAFAYETTE*	and the state of t	manufacture of the second seco	VIII.
Please note that all Personal Pro	perty tax abatements are subje	ct to a Memorandum of Agreement that n	nay require repayme	nt of all or
a portion of the tax savings realiz	ed in a designated ERA if it is	terminated because the property is remov	ed from the City of L	afayette by the applicant.
Please contact the City of Lafaye				,
SECTION 6		EMPLOYMENT	7.73	
	BASHUGASYONA (S.M.,			274-1 85 4
How many do you employ today?		110		
How many will you employ after t	he project is complete?	117		Same of the
How many jobs will be created?		7 Full-time	######################################	Part-time
How many jobs are retained?		110 Full-time	Water Committee of the	Part-time
How many jobs will be eliminated	f	0 Full-time	p	Part-time
Will any of the new positions be to If "Yes", des	emporary or filled by contract e cribe the contract:	mployees Yes	No	X Million to commence and the commence of the
Will new employees be hired from	the Tippecance region?	Yes X	, No	According to the second
	ed Jalanca comissis the alcount	ances and if any of the employees from t	hana maattiana uutti ku	
eligible for the new positions.	ed, please explain the offcults	groces and a such or one embiohees hour a	iidaa boamona wiii be	•
	<u> </u>			
	1			
How many additional employees a Numbe		How many retained employees	are: Number	Hourly Average
Production 7	16	Production	95	14
Administrative /	19	Administrative	15	3.7
Management		Management	***************************************	****
Professional/		Professional/	·	
Technical		Technical		
Other		Other	`	
Total/		Total/	idea in let	
Average Wage 233000	33286	Average Wage	3,878,489.16	35259.0
What is the anticipated time frame	for reaching full employment	and the salary goals, per SB-1, from comp	oletion of improveme	nt?

Year	1.yr	2 yrs	3 yrs	4 yrs	5 yrs	> 5		
Employment	7							
Salary	233000	.	<u> </u>	I The second sec				
FIF GREATER TH	IAN FIVE YEARS P	ROVIDE DETIALE	D TIMETABLE	##				
	***************************************					× 200 / 100 miles		**************************************
Does the company	provide benefits to		s?	Yes	X-	No	***************************************	··········
	If "Yes", explain a	ind list: Health Insurance	es	% paid				
		Dental Insurance		% paid				
		Vision Insurance		% paid.				
		Life insurance		% paid				
		Disability	Ò	% paid				
		AD & D	(Danish 1997)	% paid				
		Childcare	n/a	% paid	الم المناطقة			
		Vacation (PTO) Retirement/401(k		min. # of day % paid	s (at 1 year of s	ervice)		
		EAP		% paid			•	
		Holidays		% paid				
		, ionorya	100	So Simo				
								······································
To be completed								
is the average way	e at or above the Ti	ppecanoe County	average?	Yes		No		
	- Waller - August - A		***************************************		······································			-
SECTIONS	eNew 24 to William III III	alata kalendari ka		House to see a	& STATUS	56 TO 22 YEAR OLD TO		
SECTION 7		ne deline control		INITACIS	COLVICE			
Diagram antiquete th	o Of african product	la ar anniana anli	autoida thia Q a	wate aranami	a razing?		00.02	
Please estimate th	e % of your product	s or services sold	outside this 8-co	ounty economi	c region?		98 %	
Please estimate th	e % of your product	a or services sold	outside this 8-co	ounty economi	c region?		98 %	
			outside this 8-co	ounty economi Yes	c region?	No	98 %	
	e % of your product		outside this 8-co			No	98 %	
Does the applicant If yes, please list: Donaldsons Choos	supply any local fin		outside this 8-co			No	98 %	
Does the applicant	supply any local fin		outside this 8-co			No	98 %	
Does the applicant if yes, please list: Donaldsons Choco Wolfs Chocolate, A	supply any local fin olate, Lebanon Attica	ns?		Yes	X		98 %	
Does the applicant if yes, please list: Donaldsons Choco Wolfs Chocolate, A	supply any local fin	ns?		Yes	X	Yes		
Does the applicant If yes, please list: Donaldsons Choco Wolfs Chocolate, A Will any additional	supply any local fin olate, Lebanon Attica	ns?		Yes	X		98 % ×	
Does the applicant if yes, please list: Donaldsons Choco Wolfs Chocolate, A	supply any local fin olate, Lebanon Attica	ns?		Yes	X	Yes		
Does the applicant If yes, please list: Donaldsons Choco Wolfs Chocolate, A Will any additional	supply any local fin olate, Lebanon Attica	ns?		Yes	X	Yes		
Does the applicant If yes, please list: Donaldsons Choco Wolfs Chocolate, A Will any additional	supply any local fin olate, Lebanon Attica	ns?		Yes	X	Yes		
Does the applicant if yes, please list: Donaldsons Choco Wolfs Chocolate, A Will any additional If "Yes", explain:	supply any local fin date, Lebanon Attica public utilities, city s	ns?		Yes	X	Yes		
Does the applicant if yes, please list: Donaldsons Choco Wolfs Chocolate, A Will any additional If "Yes", explain:	supply any local fin olate, Lebanon Attica	ns?		Yes equired by this	X	Yes No		
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Does the applicant if yes, please list: Donaldsens Choco Wolfs Chocolate, A Will any additional if "Yes", explain: Will any environme if "Yes", explain:	supply any local fin date, Lebanon Attica public utilities, city s	ns? ervices or other in		Yes equired by this	X	Yes No		
Does the applicant if yes, please list: Donaldsens Choco Wolfs Chocolate, A Will any additional if "Yes", explain: Will any environme	supply any local fin date, Lebanon Attica public utilities, city s	ns? ervices or other in		Yes equired by this	X	Yes No		
Does the applicant if yes, please list: Donaldsens Choco Wolfs Chocolate, A Will any additional if "Yes", explain: Will any environme if "Yes", explain:	supply any local find blate, Lebanon Attica public utilities, city s antal permits be need	ns? ervices or other in	frestructure be n	Yes equired by this	X	Yes No		
Does the applicant if yes, please list: Donaldsens Choco Wolfs Chocolate, A Will any additional if "Yes", explain: Will any environme if "Yes", explain:	supply any local find blate, Lebanon Attica public utilities, city s intal permits be need	ns? ervices or other in	frestructure be n	Yes equired by this	x project?	Yes No		
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Does the applicant if yes, please list: Donaldsons Choco Wolfs Chocolate, A Will any additional if "Yes", explain: Will any environme if "Yes", explain:	supply any local find late, Lebanon latical public utilities, city supplies that permits be need that permits be need to late any changes be required?	ns? ervices or other in	s Yes Yes aulted in any ma	equired by this	No No the performance	Yes No No		
Does the applicant if yes, please list: Donaldsons Choco Wolfs Chocolate, A Will any additional if "Yes", explain: Will any environme if "Yes", explain:	supply any local find late, Lebanon latical public utilities, city supplies that permits be need that permits be need to late any changes be required?	ns? ervices or other in	restructure be n	equired by this	No No	Yes	X.	

Is there any pending litigation materially affecting the applicant? Yes	No x	
If "Yes", please describe giving procedural posture of the case(s):	,	
,		
Are there any restrictions contained in the applican't Articles or Certificate of Incorporation, Charter,	Yes	
Bylaws, Code of Regulations or any agreements to which the applicant is a party that could affect the		mmymummerummumm
applicant's ability to angage in this project?	A LTM A.	**************************************
solds transpired a particular and an and an another than the same to see the s		
If "Yes", explain:		
i.		
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SECTION 8 AFFIRMATION OF TAX PAY	YMENTS	1000
	S. C. September 1993	
I affirm that the applicant is current with all local, state, and federal tax obligations and unders	tand that	**************************************
failure to have paid said taxes in a timely manner may render the applicant, during the course		
abatement, noncompliant and, theyerore, inelligible for tax abatement.		
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11/1/	A company of the co	
	5/11/2021	
Signature //	Date	
<i>U</i>	21	
Eike Wrage	CFO	
Name Printed	Title	. ,
ewrage@ludofactusa.com	(765) 429 9856	adronation constituence in the constituence in
E-mail	Phone	

MEMORANDUM OF AGREEMENT CONCERNING STATEMENT OF BENEFITS AND TAX ABATEMENTS

This Memorandum of Agreement ("Agreement") is dated this __8th__ day of June, 2021, and serves as the confirmation of the commitment by Ludo Fact USA, LLC (the "Applicant"), to comply with the project description and job creation and retention (and associated wage rates and salaries) figures contained in its designation application; Statement of Benefits; Resolution No, _____, a resolution of the Tippecanoe County Council ("Council"); and this Agreement ("Commitments"),

Section 1, Grant of Abatement.

Subject to the adoption of the deduction approval resolution by the Council, Tippecanoe County, Indiana ("County") commits to providing a <u>seven</u> year personal property tax abatement for the Applicant's capital expenditures in the approximate amount set forth in Applicant's Statement of Benefits filed on May 12, 2021, for new manufacturing equipment, new research and development equipment, new logistical distribution equipment, or new information technology equipment approved as part of the Commitments. The Applicant shall assume responsibility for the redevelopment and the installation of the new equipment and for compliance with the Statement of Benefits. The project will create <u>approximately seven new jobs</u>, aside from those created or retained through the construction phase of the project. The capital expenditures for the Project shall occur no later than the estimated completion dates of <u>September 30, 2021</u> for equipment installation as contained in the Statement of Benefits Form ("Completion Date").

Section 2. Annual Information.

During the term of the tax abatement and for a period of two (2) years thereafter, the County or its authorized agent may annually request information from the Applicant concerning the nature of the Project and the approved capital expenditures for the Project and the Applicant shall provide the County with adequate written evidence thereof within 45 days of such request ("Annual Survey"). The County shall utilize this information and the information required to be filed by the Applicant in the CF -1 Compliance with the Statement of Benefits form to verify that the Applicant has complied with the commitments contained in the Commitments at all times after the Commitment Date and during the duration of the tax abatement. The applicant further agrees to provide the County with such additional information requested by the County related to the information provided in the Annual Survey and the CF -1 form within a reasonable time following any such request.

Section 3. Termination.

A. Right to Terminate. The County, by and through the Council, reserves the right to terminate the personal property tax abatement deduction if it determines that the Applicant has not made reasonable efforts to substantially comply with all of the Commitments and that Applicant's failure to substantially comply with the Commitments was not due to factors beyond its control.

B. Factors Beyond Control. As used in this Agreement, "factors beyond the control of the Applicant"

shall include only factors not reasonably foreseeable at the time of the designation application and submission of Statement of Benefits which are not caused by any act or omission of the Applicant and which materially and adversely affect the ability of the Applicant to substantially comply with the Agreement. New technological developments and process improvements may also be included as factors beyond of the control of the applicant.

- C. Repayment Upon Termination: Pursuant to Resolution 2019-16-CL, if the new equipment is removed from Tippecanoe County, and the County terminates the personal property tax abatement, the County may require the Applicant to repay all of the personal property tax abatement savings received through the date of such termination.
- D. Notice of Termination and Repayment. In the event that the County determines that the tax abatement deductions should be terminated and/or that all of the tax abatement savings should be repaid, it will give the Applicant notice of such determination, including a written statement calculating the amount due from the Applicant, and will provide the Applicant with an opportunity to meet with the County's designated representatives to show cause why the abatement should not be terminated and/or the tax benefits repaid. Such notice shall state the names of the person with whom the Applicant may meet and will provide that the Applicant shall have ninety (90) days from the date of such notice to arrange such meeting and to provide its evidence concerning why the abatement termination should not or tax benefits repayment should not occur. If, after giving such notice and receiving such evidence, if any, the County determines that the abatement termination and/or tax benefits repayment action is proper, the Applicant shall be provided with written notice and a hearing before the Council before any final action shall be taken terminating the abatement and/or requiring repayment of tax benefits. If the Council adopts a Resolution terminating the tax abatement and/or requiring repayment of tax benefits, the Applicant shall be entitled to appeal that determination to a Tippecanoe County Superior or Circuit Court.
- E. Time of Repayment. In the event that the County requires repayment of the tax abatement benefits as provided hereunder, it shall provide Applicant with a written statement calculating the amount due ("Statement"), and the Applicant shall make such repayment to the County within ninety (90) days of the date of delivery of the Statement, unless such repayment has been stayed pending an appeal. If the Applicant does not make timely repayment, the County shall be entitled to all reasonable costs and attorneys fees incurred in the enforcement and collection of the tax abatement savings required to be repaid hereunder.

Section 4. Use of Local Suppliers and Contractors for Project and Local Persons to Fill Positions Created by Project.

The Applicant agrees to make a meaningful, good-faith effort to use local suppliers, and local contractors for the Project. Local suppliers and local contractors are defined as contractors and suppliers that are primarily engaged, reside in or have their principal office in Tippecanoe County or employ a significant number of residents of Tippecanoe County. Additionally, applicant agrees to make a meaningful, good-faith effort to hire qualified individuals who are residents of Tippecanoe County for the new positions that will be created by the Project.

Section 5. General Provisions.

- A. This Agreement contains the entire understanding between the County and the Applicant with respect to the subject matter hereof, and supersedes all prior and contemporaneous agreements and understandings, inducements, and conditions, expressed or implied, oral or written, except as herein contained. This Agreement may not be modified or amended other than by an agreement in writing signed by the County and Applicant. The Applicant understands that any and all filings required to be made or actions required to be taken to initiate or maintain the tax abatement are solely the responsibility of the Applicant.
- B. Neither the failure nor any delay on the part of the County to exercise any right, remedy, power or privilege under this Agreement shall operate as a waiver thereof; nor shall any single or partial exercise of any right, remedy, power or privilege preclude any other or further exercise of the same or of any other right, remedy, power or privilege with respect to any occurrence or be construed as a waiver of such right, remedy, power or privilege with respect to any other occurrence. No waiver shall be effective unless it is in writing and is signed by the party asserted to have granted such waiver.
- C. This Agreement and all questions relating to its validity, interpretation, performance and enforcement shall be governed by the laws and decisions of the courts of the State of Indiana, without regard to conflict of law principles.
- D. The Applicant hereby irrevocably consents to the jurisdiction of the Courts of the State of Indiana and of the Tippecanoe County Circuit or Superior Court in connection with any action or proceeding arising out of or relating to this Agreement or any documents or instrument delivered with respect to any of the obligations hereunder, and any action relating to this Agreement or any documents or installments delivered with respect to any of the obligations hereunder, and any action related to this Agreement shall be brought in such County and in such Court.
- E. All notices, requests, demands, and other communications required or permitted under this Agreement shall be in writing and shall be deemed to have been received when delivered by hand or by facsimile (with confirmation by registered or certified mail) or on the third business day following the mailing, by registered or certified mail, postage prepaid, return receipt requested, thereof, addressed as set forth below:

If to Applicant:

If to County:

Ludo Fact USA, LLC 4775 Dale Street Lafayette, IN 47905 Tippecanoe County Auditor 20 N. 3rd Street Lafayette, IN 47901

- F. This Agreement shall be binding upon and inure to the benefit of the County and the Applicant and their successors and assigns, except that no party may assign or transfer its rights or obligations under this Agreement without the prior written consent of the other party hereto, which consent shall not be unreasonably withheld.
- G. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original as against any party whose signature appears thereon, and all of which together shall

constitute one and the same instrument. By executing this Agreement, each person so executing affirms that he or she has been duly authorized to execute this Agreement on behalf of such party and that this Agreement constitutes a valid and binding obligation of such party.

- H. The provisions of this Agreement and of each section or other subdivision herein are independent of and separable from each other, and no provisions shall be effected or rendered invalid or unenforceable by virtue of the fact that for any reason any other or others of them may be invalid or unenforceable in whole or in part unless this Agreement is rendered totally unenforceable thereby.
- I. No official, director, officer, employee or agent of the County shall be charged personally by the Applicant, its employees or agents with any liabilities or expenses of defense or be held personally liable to the Applicant under any term or provision of this Agreement or because of the execution by such party of this Agreement or because of any default by such party hereunder.

AGREED TO:

TIPPECANOE COUNTY	LUDO FACT USA, LLC
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By: Kevin Underwood President, Tippecanoe County Council	BY: EILLE WRAGE
Date:	Title: <u>C</u> 子り
*	Date: 5/24/21